

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAM M. MOLINA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:20-cv-00375-KJN

ORDER GRANTING IFP REQUEST  
AND DIRECTING SERVICE

(ECF No. 2)

Plaintiff has requested leave to proceed without the prepayment of fees and costs, also referred to as in forma pauperis, pursuant to 28 U.S.C. § 1915.<sup>1</sup> Plaintiff submitted the required affidavit, which demonstrates that Plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis is granted. See 28 U.S.C. § 1915(a).

For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
2. The Clerk of the Court is directed to serve the undersigned's scheduling order in Social Security cases;
3. Within 14 days from the date of this order, Plaintiff shall submit to the United States Marshal an original and five copies of the completed summons, five copies

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<sup>1</sup> This case was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(15) and 28 U.S.C. § 636(b)(1).

1 of the complaint, five copies of the scheduling order, and a completed USM-285  
2 form, *and shall file a statement with the Court that such documents have been*  
3 *submitted to the United States Marshal;*

- 4 4. The United States Marshal is directed to serve all process without prepayment of  
5 costs not later than 60 days from the date of this order. Service of process shall be  
6 completed by delivering a copy of the summons, complaint, and scheduling order  
7 to the United States Attorney for the Eastern District of California, and by sending  
8 two copies of the summons, complaint, and scheduling order by registered or  
9 certified mail to the Attorney General of the United States at Washington, D.C.  
10 See Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal shall also send a copy of the  
11 summons, complaint, and scheduling order by registered or certified mail to the  
12 Commissioner of Social Security, c/o Office of General Counsel, Region IX, 160  
13 Spear Street, Suite 800, San Francisco, CA, 94105-1545. See Fed. R. Civ. P.  
14 4(i)(2). *The United States Marshal shall thereafter file a statement with the Court*  
15 *that such documents have been served;* and
- 16 5. Plaintiff is advised of Local Rule 110, which provides: "Failure of counsel or of a  
17 party to comply with [the Court's Local] Rules or with any order of the Court may  
18 be grounds for imposition by the Court of any and all sanctions authorized by  
19 statute or Rule or within the inherent power of the Court."

20 IT IS SO ORDERED.

21 Dated: April 16, 2020

22   
23 KENDALL J. NEWMAN  
24 UNITED STATES MAGISTRATE JUDGE

25 375.IFP